

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-20225
Hon. Gerald E. Rosen

ROSSAHN BLACK,

Defendant.

**ORDER DENYING DEFENDANT'S
MOTION FOR RECONSIDERATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on June 12, 2015

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

In an opinion and order issued on April 17, 2015, the Court ruled on a number of motions filed by Defendant Rossahn Black in advance of his contemplated challenge under 28 U.S.C. § 2255 to his conviction and sentence.¹ Through the present motion filed on May 5, 2015, Defendant seeks reconsideration of one specific aspect of the Court's April 17 ruling, reiterating his argument that the Court should investigate and exercise control over the ongoing practice of a psychologist, Dr. Ron Nieberding, who conducted a pretrial evaluation of Defendant's competency to stand trial.

¹On April 14, 2015, just prior to the Court's April 17 decision, Defendant filed this anticipated § 2255 motion.

Under Local Rule 7.1(h)(3) of this District,² the Court ordinarily “will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court” in its challenged decision. Defendant’s present motion runs afoul of this rule, as he concedes that the argument he is now advancing was “clearly stated” in his prior submissions to the Court, and that the Court did, in fact, address this contention in its April 17 decision. (*See* Defendant’s Motion for Reconsideration at 1.) Defendant’s bare disagreement or dissatisfaction with this Court’s resolution of this issue does not provide a basis for revisiting the Court’s April 17 ruling. *See Smith v. Mount Pleasant Public Schools*, 298 F. Supp.2d 636, 637 (E.D. Mich. 2003) (explaining that “[a] motion for reconsideration is not properly used as a vehicle to rehash old arguments”).

For this reason,

NOW, THEREFORE, IT IS HEREBY ORDERED that Defendant’s May 5, 2015 motion for reconsideration (docket #149) is DENIED.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: June 12, 2015

²Although this is a local rule for civil cases, it has been made applicable to criminal cases pursuant to Local Criminal Rule 1.1 and Local Civil Rule 1.1(c) of this District.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 12, 2015, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5135